

COMMONWEALTH OF MASSACHUSETTS

Department of Telecommunications and Cable

1000 Washington Street, Suite 820, Boston, MA 02118 (617) 305-3580 www.mass.gov/dtc

JAY ASH
SECRETARY OF HOUSING AND
ECONOMIC DEVELOPMENT

JOHN C. CHAPMAN UNDERSECRETARY

KAREN CHARLES PETERSON COMMISSIONER

November 16, 2016

VIA U.S. MAIL

Ms. Marlene H. Dortch, Secretary Federal Communications Commission 445 12th Street, SW Washington, DC 20554

In the Matter of Charter Communications, Inc., Petitions for Determination of Effective Competition in 46 Communities in Massachusetts, New Hampshire, and New York, CSR-8558-E, CSR-8559-E, CSR-8560-E, CSR-8561-E

Dear Ms. Dortch:

Please find enclosed an original and four copies of the Massachusetts Department of Telecommunications and Cable's Motion to Withdraw its Application for Review in the above-referenced dockets. To comply with 47 C.F.R. § 1.49(f)(iii), I have also filed this Motion to Withdraw electronically with Chairman Wheeler and Commissioners Clyburn, Rosenworcel, Pai, and O'Rielly, as well as in MB Docket 12-1. Please contact me at (617) 305-3580 should you have any questions.

Sincerely,

Sean M. Carroll, Counsel sean.m.carroll@state.ma.us

Encs.

cc: Chairman Thomas Wheeler (via email)

Commissioner Mignon Clyburn (via email) Commissioner Jessica Rosenworcel (via email)

Commissioner Ajit Pai (via email)

Commissioner Michael O'Rielly (via email) Steven Horvitz, Davis Wright Tremaine LLP Counsel for Charter Communications, Inc.

Service Lists (Attached) MB Docket 12-1 (via ECFS)

Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

In the Matter of

Charter Communications, on behalf of its subsidiaries and affiliates

Petitions for Determination of Effective Competition in 46 Communities in Massachusetts, New Hampshire, and New York CSR-8558-E CSR-8559-E CSR-8560-E CSR-8561-E

MASSACHUSETTS DEPARTMENT OF TELECOMMUNICATIONS AND CABLE MOTION TO WITHDRAW

Commonwealth of Massachusetts Department of Telecommunications and Cable

KAREN CHARLES PETERSON, COMMISSIONER

1000 Washington Street, Suite 820 Boston, MA 02118-6500 (617) 305-3580

Dated: November 16, 2016

MOTION TO WITHDRAW

The Massachusetts Department of Telecommunications and Cable ("MDTC") hereby moves to withdraw without prejudice its December 11, 2013 Application for Review in the above-captioned proceedings. Good cause exists for granting this request, as it will relieve the Federal Communications Commission ("FCC") of having to resolve the disputes at issue. The MDTC reserves all other rights under FCC regulations and federal law.

The MDTC respectfully requests that the FCC grant without prejudice the MDTC's Motion to Withdraw.

Respectfully submitted,

KAREN CHARLES PETERSON, COMMISSIONER

14/16

By:

Sean M. Carroll

Massachusetts Department of Telecommunications and Cable 1000 Washington Street, Suite 820 Boston, MA 02118-6500 (617) 305-3580

November 16, 2016

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The MDTC submitted an FCC Form 328, which became effective on January 7, 2016, for a number of the communities that were at issue in this proceeding, thereby certifying the MDTC's rate regulation authority in those communities in accordance with FCC rules. *See* MDTC Form 328 (filed Dec. 8, 2015), *available at* http://apps.fcc.gov/ecfs/proceeding/view?name=INBOX-76.910.

CERTIFICATION PURSUANT TO 47 C.F.R. § 76.6(a)(4)

The undersigned signatory has read the foregoing Motion to Withdraw, and, to the best of my knowledge, information and belief formed after reasonable inquiry, it is well grounded in fact and is warranted by existing law or a good faith argument for the extension, modification or reversal of existing law; and it is not interposed for any improper purpose.

Respectfully submitted,

11/1/

Sean M. Carroll

Commonwealth of Massachusetts Department of Telecommunications and Cable 1000 Washington Street, Suite 820 Boston, MA 02118-6500 (617) 305-3580

November 16, 2016

I, Deborah D. Williams, do hereby certify on this 6th day of December, 2011 that a true and correct copy of the foregoing "Petition for Special Relief" has been sent via U.S. mail, postage prepaid to the following:

Steven A. Broeckaert, Esq. Media Bureau Policy Division Federal Communications Commission 445 12th Street, S.W., Room 4-A865 Washington, DC 20554 Chairman, Board of Selectmen Town of Wales 3 Hollow Road Wales, MA 01081

Williams

I, Deborah D. Williams, do hereby certify on this 7th day of December, 2011 that a true and correct copy of the foregoing "Petition for Special Relief" has been sent via U.S. mail, postage prepaid to the following:

Steven A. Broeckaert, Esq. Media Bureau Policy Division Federal Communications Commission 445 12th Street, S.W., Room 4-A865 Washington, DC 20554

Mr. Jeff Braley Town Supervisor Austerlitz Town Hall 812 Route 203 Spencertown, NY 12165

Mr. Rick Keaveney Town Supervisor Canaan Town Hall 1647 Route 5 South Canann, NY 12029

Mr. Thomas Curran Mayor Chatham Village Hall 77 Main Street Chatham, NY 12037

Mr. Larry Andrews Town Supervisor Ghent Town Hall 2306 State Route 66 Ghent, NY 12075

Mr. Paul Trova Chairman, Board of Selectmen Town of Hinsdale 39 South Street Hinsdale, MA 01235 Mr. Art Basin Town Supervisor Ancram Town Hall 1416 County Rte. 7 Ancram, NY 12502

Mr. Robert Jaeger Town Supervisor Berlin Town Hall 65 South Main Street Berlin, NY 12022

Mr. Jesse DeGroodt Town Supervisor Chatham Town Hall 488 State Route 295 Chatham, NY 12037

Mr. Reginald Crowley
Town Supervisor
Copake Town Hall
230 Mountain View Road
Copake, NY 12516

Mr. Art Baer Town Supervisor Hillsdale Town Hall Main Street Hillsdale, NY 12529

Mr. Paul A. Boudreau Town Administrator Town of Lanesboro 83 North Main Street Lanesborough, MA 01237 Ms. Margaret Robertson Town Supervisor New Lebanon Town Hall Route 22 New Lebanon, NY 12125

Mr. Earl Moffatt Chairman, Board of Selectmen Town of West Stockbridge 21 State Line Road West Stockbridge, MA 01266 Mr. Peter Schaaphok Town Supervisor Petersburg Town Hall 55 Main Street Petersburg, NY 12138

Doborah D. Williams

I, Deborah D. Williams, do hereby certify on this 6th day of December, 2011 that a true and correct copy of the foregoing "Petition for Special Relief" has been sent via U.S. mail, postage prepaid to the following:

Steven A. Broeckaert, Esq. Media Bureau Policy Division Federal Communications Commission 445 12th Street, S.W., Room 4-A865 Washington, DC 20554 Mr. Michael Coughlin Town Administrator Town of Westport 816 Main Road Westport, MA 02790

Debotah D. Williams

I, Deborah D. Williams, do hereby certify on this 8th day of December, 2011 that a true and correct copy of the foregoing "Petition for Special Relief" has been sent via U.S. mail, postage prepaid to the following:

Steven A. Broeckaert, Esq. Media Bureau Policy Division Federal Communications Commission 445 12th Street, S.W., Room 4-A865 Washington, DC 20554 Ms. Julie A. Jacobson Town Manager 104 Central Street Auburn, MA 01501

Mr. David Battistoni Town Administrator Henry Woods Building 40 West St. Barre, MA 01005 Ms. Margaret Sardell Secretary, Board of Selectmen 23 Linden St. Berlin, MA 01503

Mr. Peter O'Connell Chairman, Board of Selectmen 6 Central St. Brookfield, MA 01506 Ms. Linda Saari Chairman, Board of Selectmen 1 Main Street Brookline, NH 03033

Ms. Robin L. Craver Town Administrator 37 Main St. Charlton, MA 01507 Mr. Michael Guzinski Executive Administrator 29 Deport Street Douglas, MA 01516

Mr. Peter Jankowski Town Administrator 71 West Main Street Dudley, MA 01571 Mr. Kevin W. Welch Chairman, Board of Selectmen 511 Mani Street Dunstable, MA 01827

Mr. Leo Fayard Chairman, Board of Selectmen 122 Connie Mack Drive East Brookfield, MA 01515 Mr. Timothy McInerney Town Administrator 30 Providence Road Grafton, MA 01519

Mr. Mark Haddad Town Manager 173 Main Street Groton, MA 01450 Ms. Elaine Peterson
Town Secretary
7 Main Street, Unit #3
Hubbardston, MA 01452

Mr. Robert Spain Town Manager 127 Elm Street Millbury, MA 01527

Ms. Leslie Scott Burton Administrative Assistant to Board of Selectmen 215 North Main Street North Brookfield, MA 01535

Mr. Clayton Rice Chairman, Board of Selectmen 2 Coldbrook Rd, Unit 1 Oakham, MA 01068

Mr. John Moak Town Administrator 1 Main Street Pepperell, MA 01463

Ms. Jean Kitchen Town Administrator 17 Common Street Southborough, MA 01772

Mr. James Smith Town Administrator 4 Uxbridge Road Sutton, MA 01590 Ms. Helen Coffin Executive Secretary 8 Central Street Millville, MA 01529

Mr. John Coderre Town Administrator 63 Main Street Northborough, MA 01532

Mr. Joseph Zeneski Town Manager 325 Main Street Oxford, MA 01540

Mr. Leroy Clark Chairman, Board of Selectmen 250 Main Street Rutland, MA 01543

Mr. Christopher Clark Town Manager 41 Elm Street Southbridge, MA 01550

Ms. Blythe Robinson Town Manager 1 Main Street Upton, MA 01590 Mr. Michael Szlosek Town Administrator 21 South Main Street Uxbridge, MA 01569

Mr. Tom Long Chairman 2 East Main Street West Brookfield, MA 01585

Mr. Michael V. O'Brien City Manager 455 Main Street Worcester, MA 01608 Mr. John F. McAuliffe Town Administrator 350 Main Street Webster, MA 01570

Mr. James Malloy Town Administrator 34 West Main Street Westborough, MA 01581

Doborah D. Walliams

I, Sara J. Clark, do hereby certify on this 16th day of November, 2016, that a true and correct copy of the foregoing "Motion to Withdraw" has been sent via U.S. mail, postage prepaid, or electronic mail to the attached service lists.

Sara J. Clark